

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Elizabeth Brookbank, :
:
Plaintiff(s), :
: Case Number: 1:15cv165
vs. :
: Judge Susan J. Dlott
Anthem Life Insurance Company, :
:
Defendant(s). :
:

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on April 20, 2016 (Doc. 29), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired May 9, 2016, hereby ADOPTS said Report and Recommendation.

Accordingly, defendant's motion for judgment on the administrative record (Doc. 22) is GRANTED. Plaintiff's motion for judgment on the administrative record (Doc. 23) is DENIED. Plaintiff's state law claims are DISMISSED on preemption grounds and judgment is entered in favor of defendant and against plaintiff on the claim to recover benefits under ERISA.

IT IS SO ORDERED.

s/Susan J. Dlott
Judge Susan J. Dlott
United States District Court